

III. Remarks

The present paper is submitted in response to the Notice of Non-Compliant Amendment mailed June 12, 2008. The Notice objected to the prior response for not being fully responsive to the prior Office Action. In particular, it was asserted that Applicant failed to indicate whether new claims 25-33 read on the invention elected in response to the Restriction Requirement mailed April 4, 2007. Claims 25-33 are directed to the elected invention, a distraction apparatus. Accordingly, Applicants request reconsideration of the application including all of the pending claims 1-12 and 22-33.

It is respectfully requested that the application be forwarded to Examiner Comstock for further consideration on the merits. Should the Examiner deem that an interview with Applicant's undersigned attorney would expedite prosecution, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,




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Certificate of Service

I hereby certify that this correspondence is being file with the United States Patent and Trademark Office via EFS-Web on June 24, 2008.



Gayle Conner